

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA     )  
  )  
                  v.                    ) CRIMINAL NO. 05-CR-10016-RCL  
  )  
NUEREL CARR                         )

GOVERNMENT'S ASSENTED TO MOTION TO SCHEDULE RULE 11 HEARING FOR  
FRIDAY, FEBRUARY 3, 2006 OR, IN THE ALTERNATIVE,  
TO CONTINUE TRIAL FOR ONE WEEK

Now comes the United States, by Assistant U.S. Attorneys Glenn A. MacKinlay and John A. Wortmann, Jr. and moves that a Rule 11 Hearing for defendant Nuerel Carr be scheduled for Friday, February 3, 2006, at 9:00 a.m. If the Court is unable to hear the Rule 11 hearing tomorrow, the government (because this matter appears likely to be resolved by a plea at whatever time the Court is able to hold a Rule 11 hearing) alternatively requests that, the Rule 11 hearing be scheduled for Monday February 6, 2006 and that the trial date be continued for one week.

As grounds therefore, the undersigned state that yesterday they were assigned the responsibility for the trial and/or disposition of this matter. Based on conversations with defense counsel as recently as an hour ago, defense counsel has assured the undersigned that the case will be disposed via a plea. The government is, therefore, requesting that the matter be scheduled for Rule 11 Hearing either tomorrow or Monday, in lieu of trial.

The undersigned recognize that the government has not been responsive to the Court during some periods of the case, and regret that this occurred. The undersigned have only recently been assigned responsibility for the case, and believe that the requested rescheduling is therefore in the interest of justice.

The undersigned are presently undertaking a complete review of the file to ensure that the government meets all of its discovery obligations, as well as its obligation to comply with any outstanding orders of this court. In the very unlikely event that the defendant does not plead (and as set forth above the undersigned have been assured by defense counsel today that the defendant will enter a plea of guilty), the requested one-week continuance will ensure that the defendant receives all required disclosures and will help ensure the orderly introduction of evidence should the matter proceed to trial.

The undersigned are prepared to work exclusively on this matter over the next two days and over the weekend if the court is unable to grant this request, but those efforts will be needless. They respectfully submit, nevertheless, that the proposed continuance is in the interest of justice.

The undersigned have conferred with defense counsel, Harold H. Hakala, Esq., and he has assented to this motion.

Respectfully submitted,

MICHAEL J. SULLIVAN  
United States Attorney

By: /s/ Glenn A. MacKinlay  
GLENN A. MACKINLAY  
Assistant U.S. Attorney

/s/ John A. Wortmann, Jr.  
JOHN A. WORTMANN, JR.  
Assistant U.S. Attorney

Dated: February 2, 2006